

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ROBERT PULICE and TAMI PULICE

Plaintiffs,

v.

Civil Action No. 5:06CV131
(STAMP)

ARCH CHEMICALS, INC. and
JOHN DOES, unknown persons,
entities, insurance companies
or corporations

Defendants.

ORDER GRANTING AS FRAMED THE PARTIES'
JOINT MOTION TO AMEND SCHEDULING ORDER

On September 20, 2007, the parties filed a Joint Motion to Amend the Scheduling Order in the above-styled civil action. In that motion, the parties informed this Court that they have agreed to mediate this case and have selected Joseph Selep, of Pittsburgh, Pennsylvania, as the mediator. The parties further informed this Court that the date for mediation has not yet been set. The parties's motion requested that this Court vacate all pending deadlines contained in the Scheduling Order entered by this Court on November 28, 2006, and that if mediation fails to resolve the case, new deadlines be established within certain periods from the date of mediation. Alternately, if this Court denies the parties' request to reschedule the above deadlines, the parties seek an order from this Court extending the defendants' deadline for expert disclosure to October 5, 2007.

For good cause shown, it is ORDERED that this Court's November 28, 2006 Scheduling Order be VACATED generally. The parties are

ORDERED to advise this Court immediately in the following circumstances: (1) when the mediation is scheduled; (2) the results of the mediation upon conclusion; and (3) whether the mediation is continued and the reasons for continuance. When the mediator, Joseph Selep, completes mediation, he shall file with this Court a mediation form, which is available from the Clerk's Office or from the website for the United States District Court for the Northern District of West Virginia. If mediation is not successful, this Court will then set a status and scheduling conference. Accordingly, the parties' Joint Motion to Amend the Scheduling Order is GRANTED as framed.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: September 24, 2007

/s/ Frederick P. Stamp, Jr. _____
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE